

FHWA Update Urban Construction Initiative

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FHWA Updates

- 2 CFR 200 Executive Overview
- Every Day Counts (EDC) Initiative Update
- Compliance Assessment Program (CAP) reviews
 - Recent Compliance Findings



2 CFR 200 Executive Overview

- The "Supercircular" combined 8 OMB circulars
- Consolidates and eliminates duplicative guidance
- The supercircular was adopted Dec 26th 2014
- Cancels 49 CFR Parts 18 and 19
 - Uniform Administrative Requirements



What are the significant changes?

- Period of performance
 - Project Start and End date in FMIS
 - No additional Charges can occur past the End date
 - 90 days after End date to submit invoices
 - Project close-out no later than 1 year later



For additional information

- 2CFR200 URL
 - <u>http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Titleo2/2cfr2oo_main_o2.tpl</u>
- Council on Financial Assistance Reform (COFAR)
 - https://cfo.gov/cofar/
- FHWA Policy and Guidance Center
 - http://www.fhwa.dot.gov/pgc/
- 2 CFR 200 Implementation Guidance



What is EDC?

Every Day Counts (EDC) is a state-based model to identify and rapidly deploy proven but underutilized innovations to **shorten** the project delivery process, **enhance** roadway safety, **reduce** congestion and **improve** environmental sustainability

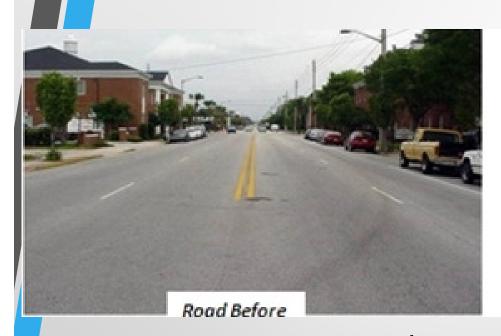


Some EDC 3 innovations

- 3D Engineered Models (Combines Design and Construction)
- e-Construction (paperless construction admin)
- e-NEPA (web-based interagency tool)
- Road Diets (safety-focused alternative to a four lane, undivided roadway)(TWLTL)



EDC Example





Road Diet using TWLTL

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For more EDC information

- Internet search FHWA EDC
 - Find an innovation
 - Apply for a grant
 - Get engaged

http://www.fhwa.dot.gov/everydaycounts/



Compliance Assessment Program

- Uses a statistical approach to establish minimum compliance with requirements for FA construction projects at the
 - National level
 - Local level

MAP-21 Risk Based Stewardship and Oversight

- MAP-21 (Moving Ahead for Progress in the 21st Century)
- Introduced the "Risk Based" concept of Oversight
- PODI (Projects of Division Interest)
 - Formerly Considered "Full Oversight"
- State Delegated
 - Formerly Considered "Non-Full Oversight"
- CAP (Compliance Assessment Program)
 - HQ Driven on a Random sample of projects

Division lead



CAP Basics

- HQ randomly selects projects based on the States' program size
- HQ develops the checklist questions (10 questions for 2014 and 2015 on the Core Checklist)
- CAP projects are reviewed by the Division offices
 - Results submitted to HQ via SharePoint
- PMIT audits the Divisions on review results



CAP Checklist

2014 CAP Checklist

- 10 Core Questions
- 1) STIP Included
- 2) NEPA Completed
- 3) ROW Certified
- 4) 1273 in Contract
- 5) TMP included
- 6) Value Engineering
- 7) Responsible Charge
- 8) DBE Compliance
- 9) Estimate vs Authorization
- 🐧 10) Work Order

2015 CAP Checklist

- 10 Core Questions
- 1) STIP Included
- 2) NEPA Completed
- 3) ROW Certified
- 4) 1273 in Contract
- 5) TMP included
- 6) Engineer Estimate Compliance
- 7) Responsible Charge
- 8) DBE Compliance
- 9) Estimate vs Authorization
- 10) Work Order



CAP Potential Answers

- Yes, the requirement was met
- N/A, the requirement does not apply

In Compliance

- Don't know, there is no way to verify
- No, the requirement was not met

Not In Compliance

How do I know if my project is in Compliance???

- Make sure you have the "Source Documentation"
- Ensure that the documentation meets the requirement



Review Example

- CAP Work Order Question
 - Based on a minimum review of one contract change order or extra work order, was a cost analysis performed and adequately documented for each negotiated change or extra work order? (23 CFR 635.120)
 - Legal reference: (e) The STD shall perform and adequately document a cost analysis of each negotiated contract change or negotiated extra work order. The method and degree of the cost analysis shall be subject to the approval of the Division Administrator.



Review Example Continued...

COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION CONSTRUCTION DIRECTIVE MEMORANDUM

GENERAL SUBJECT: _	Contract Change Management	NUMBER:	CD-2006-2
	Work Orders, Force Accounts,	DATE:	October 19, 2006
SPECIFIC SUBJECT:	Contract Expenditures	SUPERSEDES:	CD-2003-2
	of	riginal with signature on file in the office of the Scheduling and Contract Division Scheduling & Contract Engineer	

On federal oversight projects, the concept must be approved by FHWA prior to proceeding.

Decisions made, and the reasoning behind the decisions, need to be fully documented in writing for accurate project control.



CAP Summary

2014 CAP results

- 6o Projects reviewed
- 3 findings
 - 2 Responsible Charge
 - 1 Estimate

2015 CAP results

- 59 Projects Reviewed (not final)
- 41 potential findings
 - 22 STIP
 - 1 ROW
 - 9 Responsible Charge
 - 9 Work Order



2016 CAP preview

- Sample size is 38 projects
- The checklist includes three disciplines
 - 10 Core Questions
 - 7 Finance Questions
 - 11 Contract Administration questions



Questions?



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